

REMARKS

Claims 1-15 are all the claims pending in the application. The objections and rejections set forth in the Office Action are addressed below.

Specification

The Examiner has objected to the specification for failing to include section headings. Applicant has amended the specification to insert the appropriate section headings and requests the objection be withdrawn.

Claim Objections

Claim 14 is objected to for informalities. Applicant notes that claim 14 has been amended in accordance with the Examiner's suggestions to recite "generating a configuration signal." Withdrawal of the objection is therefore requested.

Additionally, Applicant notes that claims 1-15 are presently amended to improve form and readability by removing parentheticals therein.

Claim Rejections - 35 U.S.C. § 103

Claims 1-6 and 8-15

Claims 1-6 and 8-15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kanada et al. (US 2002/0194317, "Kanada") and further in view of Chen et al. (US 2002/0018487, "Chen"). Applicant traverses and submits that claims 1-6 and 8-15 are

allowable at least because Kanada and Chen, whether taken alone or in combination, fails to teach or suggest all the limitations of these claims.

With respect to claim 1, the Examiner's rejection fails to account for numerous claim limitations. First, the communication method of claim 1 recites, *inter alia*, a terminal that generates and transmits a service-selection-signal to the service-selection-server:

(a) at said terminal, generating a service-selection-signal and transmitting said service-selection-signal from said terminal to a service-selection-server

In rejecting claim 1, the Examiner contends that a "network device" of Kanda corresponds to the claimed terminal and further points to Kanada paragraphs 42-43 and 65. (Office Action at 4.) Kanada cannot be fairly read to teach or suggest this limitation.

Initially, Kanda describes a "policy-based network" where a policy server is employed in the network to distribute network policies to network node elements, such as routers. (Kanada at ¶ 37.) These "policy rules" are described as controlling Quality of Service (QoS), access control, and similar functionality of the network devices. (Kanada at ¶ 42.) Because the capability of certain network elements may vary, Kanada provides for "policy conversion," whereby a "high-level policy" can be translated into two or more "low-level policies" to take into account constraints of hardware or software on network devices that would be otherwise incapable of implementing the high-level policy. (Kanada at ¶ 44.)

However, Kanada teaches that the implementation of its network policy rules is achieved by a general purpose computer or computer workstation, where policy rules are "added, deleted, or controlled" at that workstation. (Kanada at ¶ 53 and Fig. 2.) Nothing in the portions of

Kanada the Examiner cites suggests the selection of a service wherein a terminal generates and transmits a service-selection-signal to a service-selection server as claimed. For instance, in an exemplary embodiment of the claimed method, a user at the terminal makes a selection of one of many services, web surfing, telephone calls, video on demand programming, etc., whereby the terminal transmits the service-selection-signal to the service-selection-server to then configure components of the access system. (*See, e.g.*, Specification at pp. 15-16.) Instead, according to Kanada, its network policy rules are merely implemented on a policy server. Likewise, nothing in Chen discloses the above feature.

This deficiency in the Examiner's combination of Kanada and Chen is further compounded when addressing further claim limitations describing communication with the service-selection-server and the terminal. In this regard, claim 1 further recites:

(c) at said service-selection-server, generating a service-information-signal and transmitting said service-information-signal to said terminal and/or said coupling-interface to inform about the configurations made in at least parts of the access system and in at least parts of the protocol couplings, wherein said service-information signal defines a protocol coupling to be used...

In addressing this limitation, the Examiner first identifies paragraphs 42-43 of Kanada, which allegedly describe all the features except the service-information-signal informing about the configurations made "in at least parts of the protocol couplings, wherein said service-information signal defines a protocol coupling to be used," which the Examiner later contends is disclosed by Chen. (Office Action at 4-5.)

Dealing first with Canada, nothing in paragraphs 42 or 43 describe communication from the policy server to either a terminal or a coupling interface as claimed. More specifically, Canada does not discuss its policy server as generating and transmitting a “service-information-signal” to a terminal or access system to “inform about the configurations made in at least parts of the access system...” Note that, prior to the above recitation, claim 1 recites that the service-selection-server generates a *configuration-signal* and transmits the configuration-signal to the *access system* for configuring at least parts of said access system and at least parts of the protocol couplings. Thus, even if the Examiner contends that a “policy rule” distributed to a network element by the policy server of Canada is a “configuration signal,” the rejection still must account for the features of the *service-information-signal*, as recited above, which must inform the *terminal and/or the coupling-interface* about the configurations made.

By introducing the service information signal for informing the terminal and/or the coupling interface about configurations made in the network, as recited above, the dynamic character and efficiency of network configuration can be enhanced. (*See, e.g.*, Specification at p. 16, lines 13-23.) Thus, in a case where the terminal and the coupling interface cannot be configured by the service selection server, they are still informed about the configurations made in the network enabling the terminal and the coupling interface to, for example, anticipate these configurations and/or configure themselves.

Nothing in the combined teachings of Canada and Chen teaches the feature generating and transmitting the service-information-signal, as claimed. As discussed previously, the description in paragraphs 42-43 of Canada upon which the Examiner relies merely describe a policy server that distributes policy rules to network devices. Further, Chen, which the Examiner

relies upon for the “in at least parts of the protocol couplings wherein said service-information-signal defines a protocol coupling to be used” limitation, discloses a mobile station in a cellular network that can be configured to work with “various communication protocols.” Chen simply provides for a virtual machine interface (VMI) to allow a programmer to more easily configure the mobile station to support new wireless communication protocol. (Chen at ¶¶ 9 and 39-40.) Nothing in Chen, however, suggests a “service-information-signal” as recited above, and the combination of Chen and Kanada would fail to teach the claim limitation.

Finally, nothing in the combination of Kanada and Chen teaches the feature of “communicating with said service-providing-server or said other terminal via the protocol coupling defined *by at least one service parameter*, wherein said communicating comprises an *exchange of signals that comprise said at least one service parameter*,” as recited in claim 1. As claimed, the communication with the *service-providing-server* via the protocol coupling must comprise the at least one service parameter in the communication itself. Chen, at most, teaches that its mobile station can be configured to utilize different cellular communication protocols, but is silent as to any protocol coupling being defined by a service parameter, and discloses nothing of such a service parameter being included in the communication from a service-providing-server. Kanada, for reasons discussed above, fails to remedy this deficiency.

At least the claim features discussed above are not taught or suggested by any combination of Kanada and Chen, even assuming such a combination is proper. Reconsideration and withdrawal of the rejection of claim 1 is therefore requested. As to claims 2-7, Applicant submits that these claims are allowable at least by virtue of depending from claim 1, as well as by virtue of the features they recite.

Further, independent claims 8-15 recite analogous features to those discussed above with respect to claim 1, which are likewise not taught or suggested by Kanada and Chen. Applicant submits that claims 8-15 are therefore allowable at least for these reasons.

Claim 7

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanada and Chen as applied to claim 1 above, and further in view of Jones (US 2002/0176547). In response, Applicant submits that claim 7 is allowable at least by virtue of depending from claim 1, as well as by virtue of the features recited in claim 7. Further, Jones does not make up for the above-discussed deficiencies of the other applied references.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/736,634

Attorney Docket No.: Q78312

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: February 25, 2010